

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,        )  
                                      )  
                                      )  
Plaintiff,                        )                                    4:09CR3007  
                                      )  
                                      )  
v.                                 )  
                                      )  
                                      )  
THOMAS DEWAYNE ROSS,            )                                    ORDER  
                                      )  
                                      )  
Defendant.                        )  
                                      )  
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IT IS ORDERED that the defendant's motion to dismiss (filing no. 135) is granted and the defendant's motions to vacate under 28 U.S.C. § 2255 (filing nos. 125 and 129) are dismissed without prejudice.

DATED this 23<sup>rd</sup> day of March, 2017.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge